


# BERKELEY FIRE DEPARTMENT

## INCIDENT INVESTIGATION REPORT

 Copy to	Report Date		X Information		_ Follow-up		Incident #	
	January 4, 2012		_ Continuation		_ Complaint		2011-010892	
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Location, Building No., Apt/Room #, Street								
2441 Haste Street, Berkeley CA								
Document					Document Control			
Fire Investigation Report					<input checked="" type="checkbox"/> Confidential <input checked="" type="checkbox"/> Unrestricted Release			

### CASE SUPERVISION

Date	Document	Document Control
	Fire Origin and Cause Report	<input type="checkbox"/> Confidential <input checked="" type="checkbox"/> Unrestricted Release
	Fire Origin and Cause Report Appendix A	<input checked="" type="checkbox"/> Confidential <input type="checkbox"/> Unrestricted Release
	<i>Additional elements- photographs &amp; logs, evidence logs, witness statements, medical reports, report addendums, updates, etc</i>	

### GENERAL INCIDENT DATA

**Assessor's Parcel Number (APN):** 055-1880-005-01  
**Property Description:** Apartment/Mercantile  
**Incident Type:** Structure Fire  
**Incident Date/Time:** November 18, 2011 @ 2048 Hours  
**Weather Conditions:** Cool and Clear  
**Nature of Fire Cause:** Accidental  
**Status of Case:** Closed pending additional

### OWNERSHIP INFORMATION

#### OWNERS


Kenneth and Mary Lou Ent & Trust  
 Address: Fairfield, CA  
 Son: Greg Ent  


Reporting Officer	Reviewed by	Follow-up Referral to	Further Action
Assistant Chief Fitch			



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### NARRATIVE

On Friday, November 18, 2011 at 2048 hours, Berkeley Fire units responded to reported heat detector activation from the elevator mechanical room at 2441 Haste Street in Berkeley. Engine 5 (Captain Roman) was first to arrive on scene and reported light smoke coming from the (Haste Street) A-side basement. Engine 5 crews advanced an attack-line into the basement from the west-side alley (B-side) and located the seat of the fire inside the elevator mechanical control room. Captain Roman reported that he was able to knock down and extinguish the fire within that room. He and his firefighter retreated from the structure and were advised by Engine-1 (Captain Cavagnaro) that active fire was still burning on the second floor through the window of the Haste Street (A-side). At that point the fire escalated to a second alarm; and eventually escalated to a 5 alarm fire which resulted in complete destruction of the building.

### ENVIRONMENTAL CONDITIONS

The weather during the evening and morning of this incident was clear and cool with a low temperature of 46 degrees and a high of 64 degrees. There were light winds out of the N/W from 4-5 mph. There were no reports of natural acts of nature such as earthquakes, lightning strikes, etc, which could have resulted in this fire. .

### PROPERTY DESCRIPTION

2441 Haste Street was a four story apartment complex with a sub-floor basement The structure was built in 1916 and was originally constructed of non-reinforced masonry with wooden interior framing. The roof was flat with a layer of tar. The building had 40 apartment units and 3 mercantile businesses on the first floor facing Telegraph. A seismic upgrade occurred to the building in the early 1990's which qualified the construction as 'seismic reinforced masonry'. The structure was 27,680 square feet the building and was equipped with an elevator which provided travel between the sub-basement and fourth floors. **(See appendix #1, for detailed floor plan sketch/drawing).**

### FIRE PROTECTION & DETECTION SYSTEMS


The structure was equipped with a manual and automatic fire alarm system which had been upgraded in February of 2010 (City Permit #2009-4741). The alarm system was monitored and supervised by R.F.I. Service Control Center out of San Jose, CA.

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The building was not protected with an automatic fire sprinkler system. A dry-standpipe system was provided on the Haste street frontage near the exterior fire escape.

In compliance with the Berkeley Fire Code there were portable fire extinguishers installed throughout the structure with ratings of 2A10BC.

### INSURANCE

California Fair Plan

Address: BB and T-Tanner, Pleasanton, CA

Broker: [REDACTED]

### ORIGIN AND CAUSE FIRE INVESTIGATION

Initial fire origin and cause investigation efforts were limited to the exterior of the structure due to the extended period required to complete extinguishment and known or suspected structural hazards related to the fire. On November 23, 2011 a demolition permit was issued to the owners of 2441 Haste Street by the Building Safety Division (with the FERMA Corporation as the demolition contractor). The goals of this demolition included the removal of fire debris and removal or stabilization of structurally unsafe building elements. Based on the issuance of this permit, I only had a limited timeframe to attempt to make entry into the structure to conduct an origin and cause investigation before the building would be inaccessible or totally destroyed.

Due to the City's initial concerns regarding the structural integrity of the fire building, I did not initially feel it was safe for investigators to initially enter the structure until I had further clarification of the existing and potential hazards.

On November 21, 2011 at 0830 hours, I conducted a meeting with my Fire Prevention staff who would be involved with the fire investigation. At this meeting I also requested the presence of Shift Fire Inspector, Morgan Jacobs-Langlois to assist my staff with the investigation. I requested her presence through the following day on November 22, 2011, until 1800 hours.


During the meeting I presented to my staff a Fire Investigation Plan addressing the goals, objectives, and specific assignments to each of my staff members, (*attachment 1*). The week of November 20<sup>th</sup>, was a short week due to the Thanksgiving holiday. (**See appendix #2, 'Fire Investigation Plan'**)

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The initial assignments to my staff included taking photos of the building exterior, drawing sketch's and diagrams of the structure, and locating and contacting the displaced residents from 2441 Haste Street.

Inspector Fernandez and Shift Fire Inspector Jacobs-Langlois were assigned to coordinate efforts by attempting to contact each of the displaced tenants, and to obtain any information regarding the location and or cause of the fire. On November 23, 2011, an attempt to contact all of the displaced residents was complete. Two tenants identified themselves as the ones who attempted to combat the fire in the elevator mechanical room with portable fire extinguishers, (attachment Tenant Register). This concluded Inspector Fernandez and Shift Inspector Jacobs-Langlois attempts to contact any additional residents. **(See appendix #3, 'Tenant Notification List)**

On Monday, November 28, 2011, at approximately 0800 hours I drove to the fire site at 2441 Haste Street and met Greg Ent. Mr. Ent had advised me that a private fire investigative firm; "Fire Cause Analysis" had been retained by his insurance company (California Fair Plan). It was their objective to conduct an on-site origin and cause fire investigation. Mr. Ent informed me that four of their investigators were currently in the basement conducting their investigation. **(See appendix #4, for meeting with Fire Cause Analysis at fire site)**

I contacted Deputy Chief Dong and informed him that I felt it was necessary to enter the basement before demolition took place because we may not have the opportunity to enter the building at a later date. I assured Chief Dong that I would obtain Consent to Search from Mr. Ent before I entered the structure.


Deputy Fire Marshal (DFM) Riggs delivered Consent to Search form to me at the fire site at approximately 0845. DFM Riggs remained on scene to provide assistance to me with the interior examination of the building in attempting to determine the origin and cause of the fire. I met with Mr. Ent to advise that I needed his consent and signature on the form to allow myself and DFM Riggs to enter his building to conduct the investigation. Mr. Ent agreed and signed the form, (see attachment).

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DFM Riggs and I entered the basement from the west-side alley entrance (B-side). As we entered the basement we observed very light soot staining in the service corridor. As we got closer to the elevator machine room, we observed that the header above the elevator machine room door was heavily smoke stained with thermal damage beneath the staining. This damage was consistent with smoke and heat venting from the elevator machine room into the service corridor.

### **ELEVATOR ROOM AND MACHINERY**

The elevator machine room was approximately 9'x9' square feet and was located immediately adjacent to and south of the elevator shaft. The room was constructed of largely exposed wood timber with a combination of wood plank and a manufactured tile ceiling. The elevator machinery revealed the elevator was a traction style (cable) elevator with the motor, cable drum and other components located in the north-east corner of the machine room. The elevator hoist cables ran from the drum upwards into the elevator hoist-way. There was an opening in the ceiling directly above the elevator machinery which occupied the majority of the north wall within the room. (See appendix's #1 & #5 for detailed floor plan sketch/drawing and photographs).

The majority of the exposed wood timbers in the machine room were in good condition with little if any smoke staining or heat damage. There was some damage to the ceiling and wood planking due to fire suppression activities.

The undersides of much of the remaining wood ceiling planks (the side exposed to the machine room) were either undamaged or lightly damaged by smoke and heat. The upper surfaces showed heavy alligating and mass loss. The upper edges of the planking were well rounded. (See appendix's #1 & #5, for detailed floor plan sketch/drawing and photographs).


The fire alarm heat detector which initially activated in the elevator mechanical room was in place, attached to the wood ceiling. (See appendix's #1 & #5, for detailed floor plan sketch/drawing and photographs).

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Inside the machine room doorway on the north wall at approximately 6' off of the floor I observed a distinct V burn-pattern extending up and outwards from the location of two elevator resistors associated with the elevator motor control equipment. A protective metal cabinet face had been removed by Fire Cause Analysis exposing the two resistors. Immediately to the left and right below the resistors, the fire, smoke and heat damage lessened significantly. Directly above the resistors I observed the V-burn pattern that continuously burned up and outward and extended through the opening in the ceiling up into the attic area above the room. It is my opinion the fire initially traveled from the elevator mechanical room up into the basement attic area to eventually to the other locations of the building. **(See appendix's #1 & #5, for detailed floor plan sketch/drawing and photographs).**

I examined the metal cover plate that had been removed from the resistors and observed the heat/burn patterns were much more intense on the inside face of the cover compared to the outside. Eventually the entire metal cabinet where the elevator resistors were located was removed and I observed a very distinct heavy burn-v pattern on the wooden wall directly behind where the resister metal compartment had been located. Based on my observations, it is my opinion this fire originated in and around the steel compartment where the elevator resistors were located. **(See appendix's #1 & #5, for detailed floor plan sketch/drawing and photographs).**

The fire patterns I observed in and around the elevator resistors were consistent with the fire breaching the ceiling directly above the elevator resister compartment and spreading to the remainder of the structure via various chasses, soffits, and ducts throughout the building.

DFM Riggs and I continued to examine all of the other areas within the elevator machine room not associated with the elevator machinery or resistors, and observed no signs of fire involvement with any of the other elevator equipment in the room.


DFM Riggs and I walked through the remainder of the rooms within the sub-basement and observed little to no smoke or heat damage in any of the other rooms. Our findings and opinions were consistent with the following facts:

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1. This fire was initially discovered in the elevator mechanical room by one of the residents of 2441 Haste and the maintenance person who unsuccessfully attempted to extinguish the fire using portable fire extinguishers. **(See appendix #6 for interview with resident who attempted to suppress the fire)**
2. The first arriving Berkeley Firefighters observed light smoke coming from the basement and discovered the seat of the fire in the elevator mechanical room.
3. B.F.D. dispatch received their initial fire alarm call from R.F.I. Service Control Center at 2048 hours that a heat detector had activated within the elevator mechanical room at 2441 Haste Street on November 18, 2011.

### OTHER SOURCES OF IGNITION

**Mechanical:** There were no visible signs of significant burn patterns within the electrical mechanical room except for the immediate area in and around the area where the elevator resistors were located.

**Natural Gas:** There were no visible signs present to indicate a natural gas leak or rupture. The burn patterns identified within this room were not consistent with a gas explosion.

**Incendiary:** I observed no indications which led me to believe this fire was intentionally set.

### ROOM OF ORIGIN

It is my opinion this fire originated within the elevator mechanical room in the basement of 2441 Haste Street.

### AREA OF ORIGIN

It is my opinion the area of origin for this fire is within a 4' x 4' radius around the elevator resistors.

### POINT OF ORIGIN AND CAUSE


The exact point of ignition and root cause for this fire could not be determined based solely on fire scene examination.

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### FOLLOW-UP

Fire Cause Analysis fire investigators removed the elevator resistors for further forensic examination. Fire Cause Analysis said they will share those findings with the Berkeley Fire Department once they become available.

### CONCLUSION:

It is my opinion this fire originated in and around the elevator resistors. I am unable at this time to determine if this fire was caused as a result of a mechanical malfunction or improper installation of associated elevator equipment. It is my opinion this fire is accidental in nature.

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# **Appendices**

- 1. Detailed floor plan sketch/drawing**
- 2. Fire Investigation Plan**
- 3. Tenant Notification List**
- 4. Meeting with Fire Cause Analysis at fire site**
- 5. Photographs**
- 6. Interview with residents who attempted to suppress fire**
- 7. NFIRS**

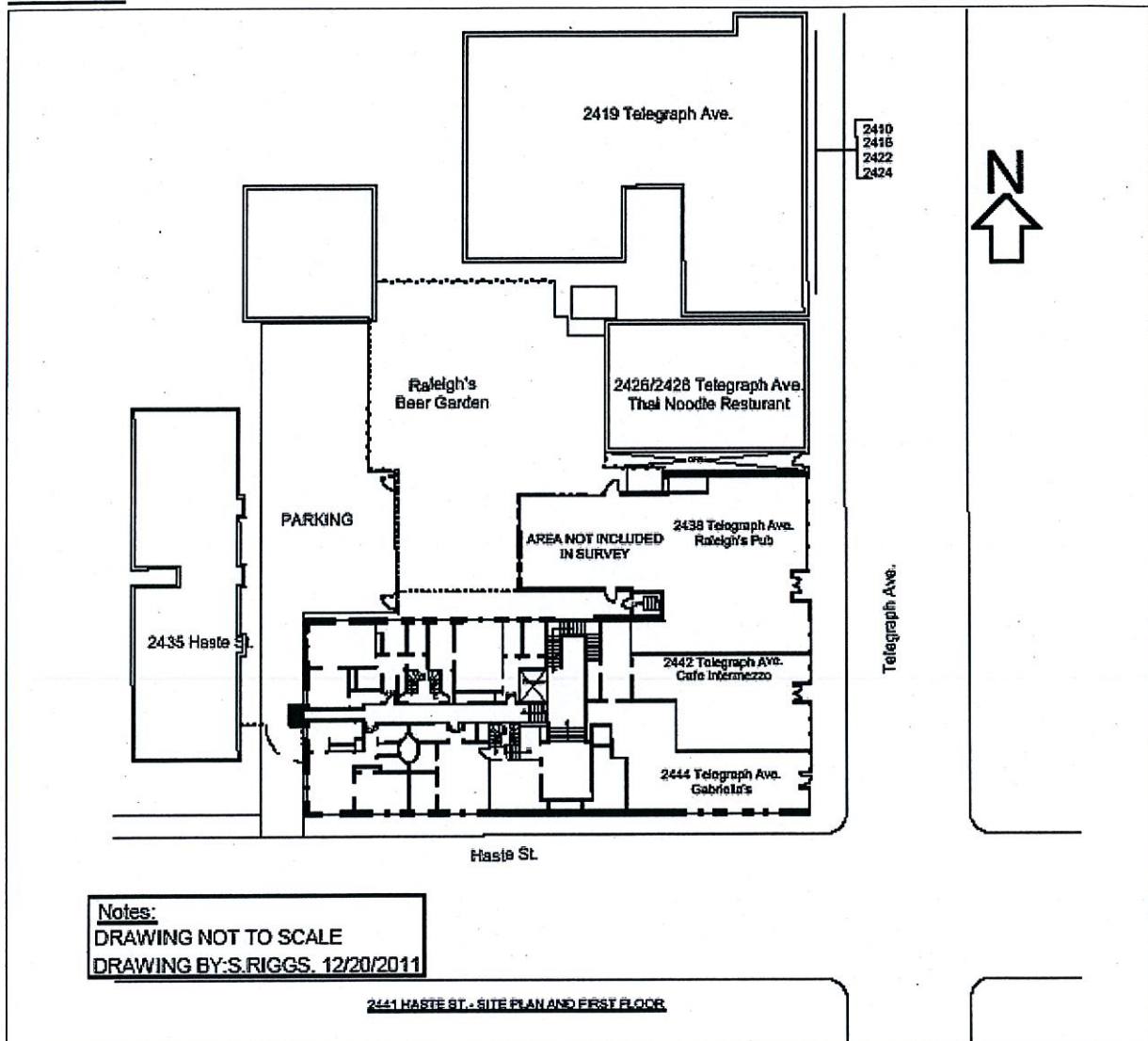


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### Site Plan




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Steven Riggs Deputy Fire Marshal	John Fitch Assistant Chief/Fire Marshal		

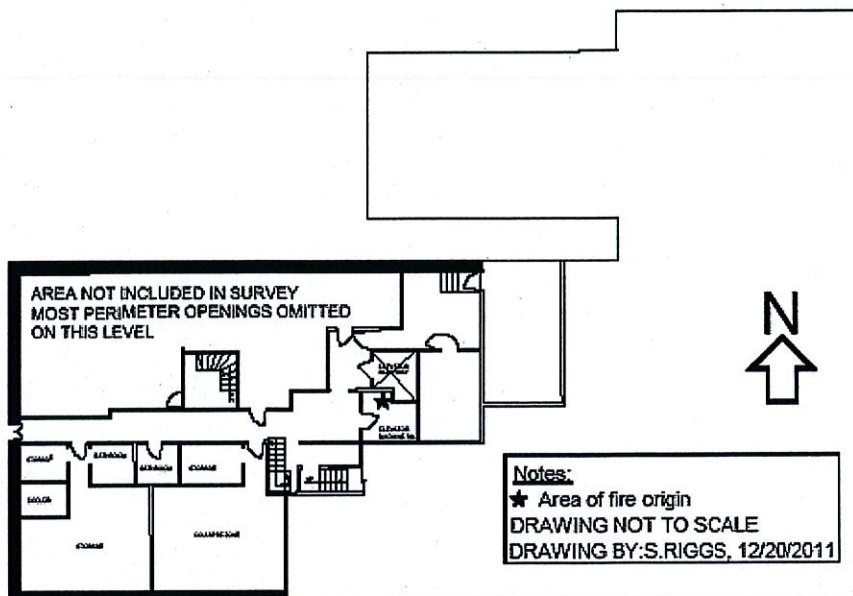
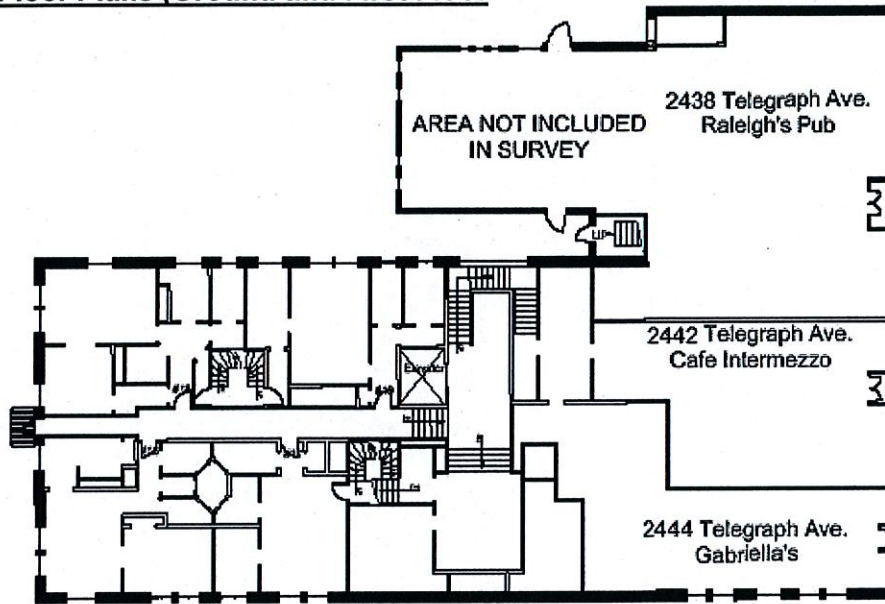


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### 2441 Haste Floor Plans (Ground and First Floor)




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### DRAWING DATA

Data for drawings was derived from multiple sources:

1. Field sketches made by S.Riggs on November 21-22 and 28, 2011
2. Architectural floor diagrams obtained from the microfiche records of the Building and Safety Division, City of Berkeley Planning Department (date/project associated with the microfiche set not identified). Five sheets of diagrams.
3. Architectural floor plans obtained from the archived storage records of the Building and Safety Division, City of Berkeley Planning Department. Plans associated with Building and Safety permits 1992-00301 and 1993-05381 (both seismic retrofit projects for 2441 Haste St., at that time an Unreinforced Masonry structure). Pages 1-7 of 16 copied and incorporated as necessary.
4. Fire investigation photographs taken by S.Riggs on November 21,22,28, 2011 as well as photographs of demolition activities taken on 12/2/2011 by S.Riggs.

Note: The ground floor and site sketches were based largely on field measurements. Due to the presence of structural collapse related to the fire and the potential for additional catastrophic collapse the first floor plan was derived largely from the source listed in #2 above. Fire investigation photographs (source 4) were used to scale features such as building openings and resolve conflicts between the other sources where these sources conflicted.

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Steven Riggs Deputy Fire Marshal	John Fitch Assistant Chief/Fire Marshal		



NOVEMBER 20, 2011

## ***2441Haste Street, Fire Investigation Plan***

### ***#2011-010892***

#### **Objective:**

*To determine origin and cause of fire and ensure fire investigators have tools and resources to conduct a safe on-scene examination*

#### **Resources:**

- 1. Assistant Chief/Fire Marshal Fitch*
- 2. Deputy Fire Marshal Riggs*
- 3. Fire Inspector Fernandez*
- 4. Shift Inspector Morgan Jacobs-Langlois*

#### **Assignments:**

##### ***Assistant Chief Fitch:***

- Maintain communication with City staff B&S, P.W., City Attorney, etc, and owner's of property
- Contact insurance company to discuss levels of coverage
- Ensure compliance with Fire/Building requirements for securing of property by owner
- Lead and direct on- site origin and cause investigation
- Conduct meetings and briefings as necessary
- Ensure fire investigators have tools and resources to conduct safe on-scene origin and cause investigation
- Maintain time sheets of all investigative personnel



- Reassess *SITSTAT/RESTAT* if victims or fatalities are discovered

***Deputy Fire Marshal Riggs:***

- Coordinate efforts with Building Safety Division
- \*Conduct basic scene diagram of fire scene and structure
- \*Take photos of fire scene for investigation report
- Communicate with structural engineer and document their findings

***Fire Inspector Fernandez:***

- Interview first-in Berkley fire suppression personnel directly involved with initial attempts to extinguish fire
- \*Interviews of witnesses and residents
- Contact PG&E to research any recent utility work at property
- Make contact with elevator repair company who recently conducted work at site
- Assist in writing fire investigation report

***Shift Fire Inspector Jacobs-Langlois***

- *Obtain tenant list from Sarah Tyler*
- *Begin interviews with residents (I will direct you what to ask)*
- *Document all of those interviews*
- *Other related duties as assigned*

***SAFETY OBJECTIVES:***

Ensure all investigative personnel wear P.P.E. anytime work is conducted in and around fire scene

Ensure all on scene investigative operations are conducted under the direction of the Fire Marshal

Hydrate as needed on fire scene



**Appendix #4, Meeting with Fire Cause Analysis on November 28, 2011**


Dennis Field from Fire Cause Analysis (Vice President & Lead Investigator) informed me that his team felt confident the fire originated within the elevator mechanical room. He further stated that the burn patterns within that room were very distinct supporting his opinion. He recommended that I should enter the basement and examine the involved area myself. I told Mr. Field that I would call Deputy Chief Dong my immediate supervisor to advise him on this information. This concluded my meeting with Mr. Field.

Assistant Chief/Fire Marshal, J. Fitch



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### Photographic Key Drawing

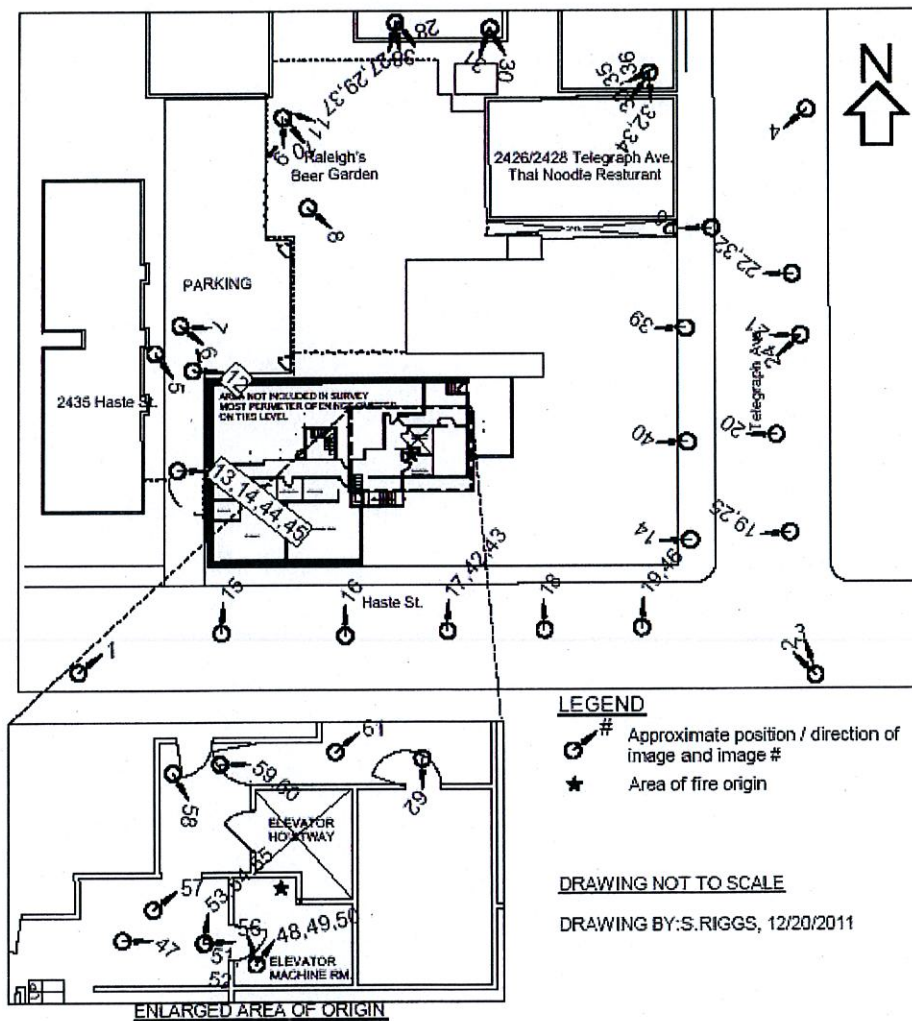



Figure 1- Photographic Key Drawing

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Fire Investigation Report Appendix 5- Photographic Data					<input type="checkbox"/> Confidential <input checked="" type="checkbox"/> Unrestricted Release		

### Photogrammetric Data

The following data was collected at the scene and extracted from image 46 (file DSCF0401.jpg) to allow scaling of the photographs as needed:

Element	Data
Structural brick	8 1/2" x 3 1/4" x 4" 1/2" mortar joint (typical)
veneer brick (Haste/Telegraph frontages)	9 5/8" x 2 3/8" 4 3/8" x 2 3/8" (short stretcher) 3/8" mortar joint (typical)
Granite bullnose (Haste St. frontage)	8" dia. half bullnose w/ 2" table above Elevation of bullnose above grade: 94" - (Telegraph end) 146" - (west end @driveway) 10" high granite cap row above bullnose
Architectural cornice (above commercial storefronts, Telegraph Ave. frontage)	Elevation (grade to underside of outer edge): 18'-2" (south end) 16'-0" (north end)

### Selected Images


(continued on next page)

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**Figure 2- Image 48 (file DSCF0402)** The elevator machine room door as seen from the ground floor center service corridor. This door is visible at the end of the corridor facing the camera in images 13/14 and 44/45. Smoke staining can clearly be seen above the door header and is consistent with smoke and heat venting from the machine room into the corridor. The fire in this space was the first attacked by the first responding engine company

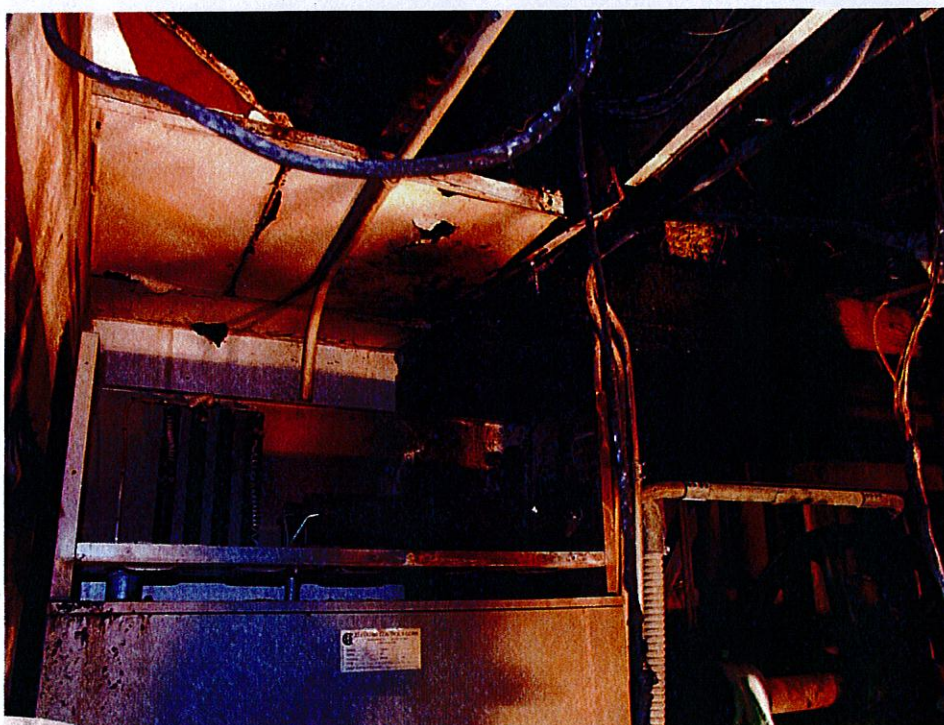
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# BERKELEY FIRE DEPARTMENT

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 Copy to	<b>Report Date</b>		<input checked="" type="checkbox"/> Information <input type="checkbox"/> Follow-up		<b>Incident #</b>		
	December 30, 2011		<input type="checkbox"/> Continuation <input type="checkbox"/> Complaint		2011-010892		
	<b>File</b>	<b>Adm</b>	<b>Ops</b>	<b>F.M.</b>	<b>BPD</b>	<b>Building</b>	<b>Other</b>
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**Figure 3- Image 49** (file DSCF0403.jpg). The north wall of the elevator machine room showing the top of elevator control and power equipment and the elevator hoist equipment on the right. The wood at the hoistway header is burned in a vee pattern that suggests more intense heat and heat movement from the direction of the controller. The metal access panel which normally encloses the upper portion of the cabinet has been removed. The two cylindrical control resistors are visible mounted within the metal cabinet. A circular heat pattern is visible above the general location of the resistors. Multiple vee shaped heat patterns can be seen bracketing the location of the resistors in the right-rear corner of the metal cabinet. An additional heat pattern (evidenced by the rusting of the metal enclosure) is visible directly below the resistors.

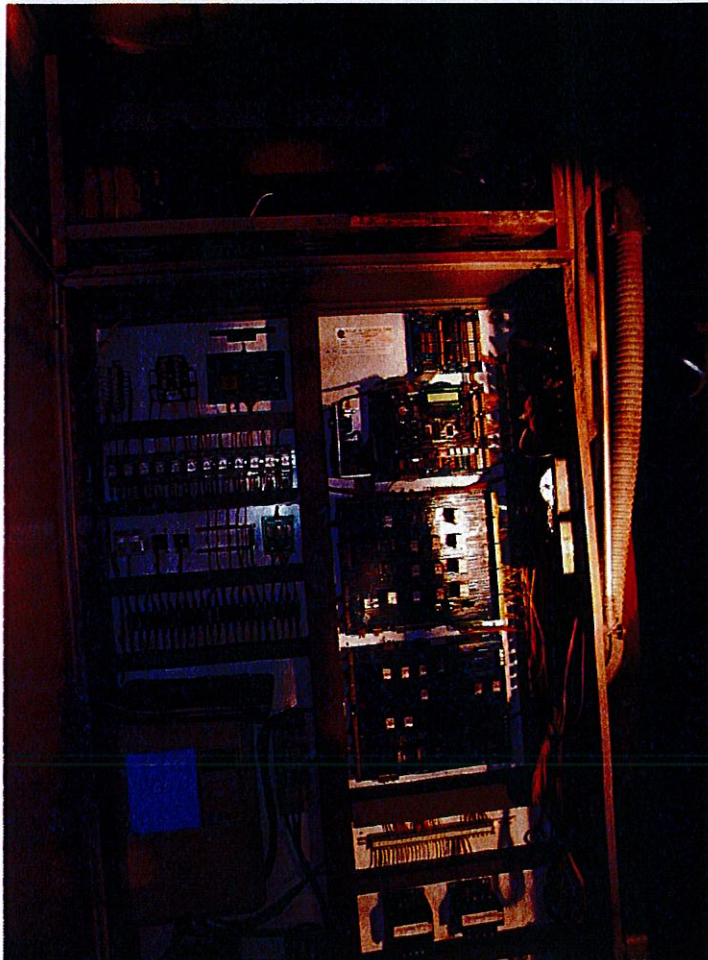
<b>Reporting Officer</b>	<b>Reviewed by</b>	<b>Follow-up Referral to</b>	<b>Further Action</b>
Steven Riggs Deputy Fire Marshal	John Fitch Assistat Chief/ Fire Marshal		



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**Figure 4-** Image 65 (file DSCF0419.jpg) The elevator controller with the main access panel removed. There is no indication of heat or fire damage within the main equipment enclosure.

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**Figure 5- Image55** (file DSCF0409.jpg). An angled view of the controller cover. The front (louvered side) and top of the panel are clearly visible. The rusting visible on the panel is typical of ferrous metals heated to extreme temperatures and then exposed to water or high humidity (such as firefighting water or humid post-fire conditions). The patterns appear centered over the approximate location of the resistors

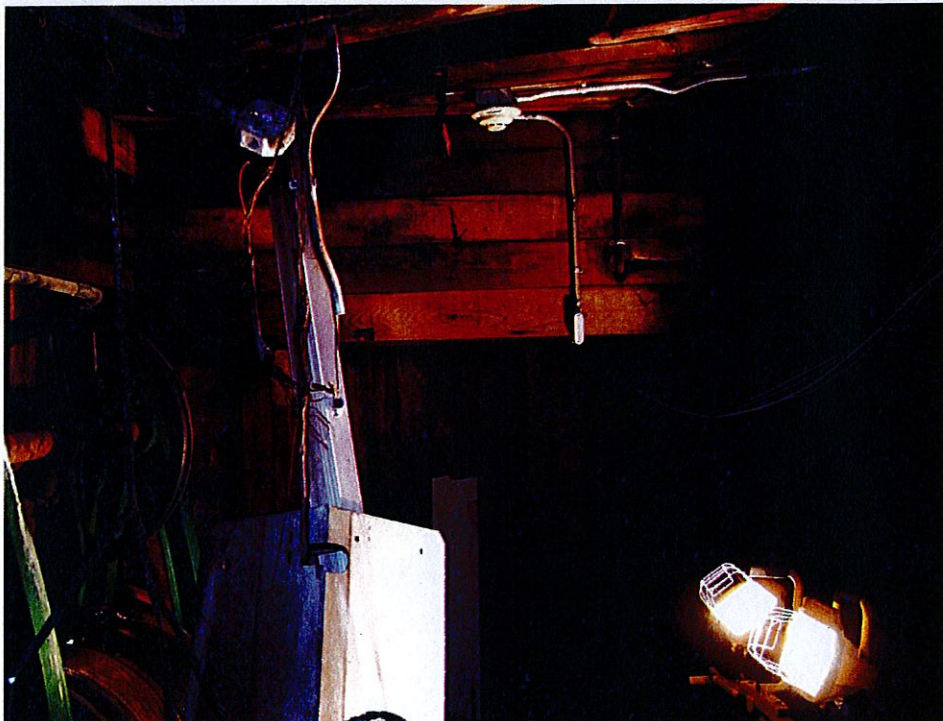
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**Figure 6-** Image 52 (file DSCF0406.jpg). The ceiling of the elevator machine room looking towards the east wall. The fire alarm heat detector can be seen mounted on the ceiling. Much of the ceiling is intact and unburned. Ceiling areas that are burned through on the left show much more significant damage to the top surfaces of the ceiling boards, suggesting that fire development was greater and/or earlier in the space above the ceiling.

### Photographic Log

The following abbreviations are used in this report:

#### Compass Points:

N- north      NE- northeast  
 S- south      NW- northwest  
 E- east      SE- southeast  
 W- west      SW- southwest

#### Fire Dept. Tactical Designations:


'A' side: Haste St frontage  
 'B' side: west elevation of building  
 'C' side: north elevation of building  
 'D' side: Telegraph Ave. frontage

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All images taken on 11/21/2011 by S.Riggs unless otherwise noted. Selected images are used in this report as noted. Additional images are on file and available for viewing.


#	File	Description
	DSCF0354.jpg	Image unrelated to incident 2011-10892 (image of 2305 Ward St., Berkeley CA by S.Riggs on 11/17/2011)
1	DSCF0355.jpg	'A'/'B' corner of 2441 Haste St. looking NE
2	DSCF0356.jpg	'A'/'D' corner of structure looking NW
3	DSCF0357.jpg	'D' side of structure from the intersection of Haste St. and Telegraph Ave. looking approximately north
4	DSCF0358.jpg	'C'/'D' corner of structure looking SW
5	DSCF0359.jpg	'B' face of 2441 Haste St. looking SE
6	DSCF0360.jpg	'C' face of 2441 Haste St. looking SE (taken from the parking area to the NW of 2441 Haste St.)
7	DSCF0361.jpg	'C' face of the structure looking E (taken from the parking area to the NW of 2441 Haste St.)
8	DSCF0362.jpg	'C'/'D' corner of the structure looking SE as seen from the beer garden area of Raleigh's Pub (2438 Telegraph Ave., which is also within the fire building)
9	DSCF0363.jpg	Raleigh's beer garden looking S (photo 1 of a series of 3)
10	DSCF0364.jpg	Raleigh's beer garden looking SE (photo 2 of a series of 3)
11	DSCF0365.jpg	Raleigh's beer garden looking E (photo 3 of a series of 3)
12	DSCF0366.jpg	'C' side alley between Raleigh's beer garden and 2441 Haste St. looking E and taken from the parking area NW of 2441 Haste
13	DSCF0367.jpg	Center service corridor on the ground floor of 2441 Haste St. looking E and taken from the driveway serving the west side parking area
14	DSCF0368.jpg	Center service corridor on the ground floor of 2441 Haste St. looking E and taken from the driveway serving the west side parking area [slightly different photographic exposure of image from image 13/DSCF0367.jpg]
15	DSCF0369.jpg	'A' side from Haste St. (west end)

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- 16 DSCF0370.jpg 'A' side from Haste St. (west end to center of wing)
- 17 DSCF0371.jpg 'A' side from Haste St. (center section of wing)
- 18 DSCF0372.jpg 'A' side from Haste St. (center to east of wing)
- 19 DSCF0373.jpg 'A' side from Haste St. (east end of wing)
- 20 DSCF0374.jpg 'D' side as seen from Telegraph Ave. (south end of wing)
- 21 DSCF0375.jpg 'D' side as seen from Telegraph Ave. (south to center of wing)
- 22 DSCF0376.jpg 'D' side as seen from Telegraph Ave. (center to north end of wing)
- 23 DSCF0377.jpg 'D' side as seen from Telegraph Ave. (north end of wing)
- 24 DSCF0378.jpg General condition of 2438 Telegraph Ave. (Raleigh's Pub)
- 25 DSCF0379.jpg General condition of 2442 Telegraph Ave. (Café Intermezzo restaurant)
- 26 DSCF0380.jpg General condition of 2444 Telegraph Ave. (signed as Gabriella's Restaurant but which was not operating at the time of the fire).
- 27 DSCF0381.jpg Service alley between the north end of the fire structure (2438 Telegraph, Raleigh's Pub) and the neighboring structure at 2426/2428 Telegraph (operating as Thai Noodle restaurant). This alley serves the 2426/2428 building. There are no openings between the two structures below the roof level of this alley.
- 28 DSCF0382.jpg West wing of 2441 Haste St as seen from the roof level of 2419 Telegraph Ave. (a six story apartment building to the north). Looking south
- 29 DSCF0383.jpg Center section of 2441 Haste from the roof of 2419 Telegraph looking SE
- 30 DSCF0384.jpg West wing of 2441 Haste and Raleigh's beer garden from the roof of 2419 Telegraph (looking S and at a down angle)
- 31 DSCF0385.jpg North wing of 2441 Haste from the roof of 2419 Telegraph looking slightly SE

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- 32 DSCF0386.jpg West wing of 2441 Haste from the 2419 roof (looking slightly SW)
- 33 DSCF0387.jpg North wing of 2441 Haste from the 2419 roof looking S
- 34 DSCF0388.jpg North and West wings of 2441 Haste from the 2419 roof looking SW
- 35 DSCF0389.jpg Telephoto view. Inside of the 'A'/'D' corner of 2441 Haste as seen from the 2419 roof showing the interior conditions.
- 36 DSCF0390.jpg Telephoto view. Middle section of the W wing of 2441 Haste from the 2419 roof. The elevator penthouse is at the right side of the image.
- 37 DSCF0391.jpg Telephoto view. Middle/west end of the W wing of 2441 Haste from the 2419 roof. The elevator penthouse is in the left ¼ of the image.
- 38 DSCF0392.jpg Telephoto view. West end of the W wing from the 2419 roof.
- 39 DSCF0393.jpg Telephoto view. Center portion of the W wing from the 2419 roof (point of view shifted slightly W from the previous series. The elevator penthouse is in the upper/middle of the image.
- 40 DSCF0394.jpg General condition of the interior of 2438 Telegraph (Raleigh's Pub) as seen from the Telegraph frontage sidewalk.
- 41 DSCF0395.jpg General condition of the interior of 2442 Telegraph (Café Intermezzo) as seen from the Telegraph frontage sidewalk.
- 42 DSCF0396.jpg General condition of the interior of 2444 Telegraph (Gabriella's restaurant)
- 43 DSCF0397.jpg Condition of the main entrance of 2441 Haste St. as seen from Haste.
- 44 DSCF0398.jpg Condition of the front entry foyer and Hall of 2441 Haste showing the partial collapse of the floors above into this level.
- 45 DSCF0399.jpg Center service corridor on the ground floor of 2441 Haste St. looking E and taken from the driveway serving the west side parking.

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- 46 DSCF0400.jpg Center service corridor on the ground floor of 2441 Haste St. looking E and taken from the driveway serving the west side parking area [slightly different photographic exposure of image from image 44/DSCF0399.jpg]
- 47 DSCF0401.jpg Photograph of veneer brick used on the Haste and Telegraph faces of the structure. A measuring tape has been added for scale.
- 48 DSCF0402.jpg The elevator machine room door as seen from the ground floor center service corridor. This door is visible at the end of the corridor facing the camera in images 13/14 and 44/45. Smoke staining can clearly be seen above the door header and is consistent with smoke and heat venting from the machine room into the corridor. The fire in this space was the first attacked by the first responding engine company. The orange paint markings have been added by the insurance company's private fire investigators.[image by S.Riggs on 11/28/2011]
- 49 DSCF0403.jpg The north wall of the elevator machine room. An elevator motor pulley and the elevator hoist cable can be seen on the right side of the image. The elevator control and power equipment are on the left side of the image. The wood at the hoistway header is burned in a vee pattern that suggests more intense heat and heat movement from the direction of the controller. The metal access panel which normally encloses the upper portion of the cabinet has been removed by the private investigators. The two cylindrical control resistors are visible mounted within the metal cabinet. A circular heat pattern is visible above the general location of the resistors. Multiple vee shaped heat patterns can be seen bracketing the location of the resistors in the right-rear corner of the metal cabinet. An additional heat pattern (evidenced by the rusting of the metal enclosure) is visible directly below the resistors. [image by S.Riggs on 11/28/2011]
- 50 DSCF0404.jpg A mid-level view of the elevator control cabinet with the access panel in place. [image by S.Riggs on 11/28/2011]
- 51 DSCF0405.jpg The lower portion of the elevator control cabinet with the access panel in place. [image by S.Riggs on 11/28/2011]

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- 52 DSCF0406.jpg The ceiling of the elevator machine room looking towards the east wall. The fire alarm heat detector can be seen mounted on the ceiling. Much of the ceiling is intact and unburned. Ceiling areas that are burned through on the left show much more significant damage to the top surfaces of the ceiling boards, suggesting that fire development was greater and/or earlier in the space above the ceiling. [image by S.Riggs on 11/28/2011]
- 53 DSCF0407.jpg Electrical equipment hanging next to the hoist cable drum in the elevator machine room. [image by S.Riggs on 11/28/2011]
- 54 DSCF0408.jpg The sheet metal panel normally covering the top of the elevator controller. The private investigators indicated that they found the panel mounted with the ventilation louvers on the front of the panel (facing into the machine room). The upper portion of the panel in this image is normally positioned over the controller resistors. [image by S.Riggs on 11/28/2011]
- 55 DSCF0409.jpg An angled view of the controller cover. The front (louvered side) and top of the panel are clearly visible. The rusting visible on the panel is typical of ferrous metals heated to extreme temperatures and then exposed to water or high humidity (such as firefighting water or humid post-fire conditions). The patterns appear centered over the approximate location of the resistors. [image by S.Riggs on 11/28/2011]
- 56 DSCF0410.jpg The inside surfaces of the same controller cover showing similar patterns. [image by S.Riggs on 11/28/2011]
- 57 DSCF0411.jpg The west wall of the elevator machine room. The controller equipment is at the right of the image. Note that there are burned and unburned papers posted at different elevations on the machine room wall. This suggests that the heat of the fire banked down from the ceiling and reached an elevation somewhere above the lower, unburned set of papers. [image by S.Riggs on 11/28/2011]
- 58 DSCF0412.jpg The ground floor/basement elevator landing immediately adjacent to the machine room. The elevator panel and call buttons are visible on the right side of the image. [image by S.Riggs on 11/28/2011]

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- 59 DSCF0413.jpg The ground floor elevator landing as seen from the NW corner of the alcove.
- 60 DSCF0414.jpg Passageway leading from the ground floor elevator alcove to the east (towards the Telegraph Ave. commercial tenant spaces). [image by S.Riggs on 11/28/2011]
- 61 DSCF0415.jpg Illuminated view of the passageway looking east. The small door visible on the right wall leads to a storage area. [image by S.Riggs on 11/28/2011]
- 62 DSCF0416.jpg Utility space east of the basement elevator alcove. The stairs lead up towards the commercial spaces on Telegraph Ave. [image by S.Riggs on 11/28/2011]
- 63 DSCF0417.jpg The storage space referenced in image 60/DSCF0415.jpg. This space is located under the entry foyer/Hall of the first floor. The space above is accessed from the main entrance on Haste St. There is no indication of heat or significant smoke on this side of the elevator shaft (east side) at this level. [image by S.Riggs on 11/28/2011]
- 64 DSCF0418.jpg Utility space at the top of the stairs shown in image 61/DSCF0416.jpg. [image by S.Riggs on 11/28/2011]
- 65 DSCF0419.jpg The elevator controller (in the elevator machine room) with the main access panel removed. There is no indication of heat or fire damage within the main equipment enclosure. The heat pattern below the resistors is visible on the cabinet of the upper compartment. The lack of heat damage in the main controller cabinet suggests heat movement from above this main controller compartment. [image by S.Riggs on 11/28/2011]
- 66 DSCF0420.jpg Demolition photo- 'A'/'B' corner [image by S.Riggs on 12/2/2011]
- 67 DSCF0421.jpg Demolition photo- 'A'/'B' corner [image by S.Riggs on 12/2/2011]
- 68 DSCF0422.jpg Demolition photo- 'A'/'D' corner as seen from Haste St., looking NE [image by S.Riggs on 12/2/2011]
- 69 DSCF0423.jpg Demolition photo- West wing from Haste St. [image by S.Riggs on 12/2/2011]

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- 70 DSCF0424.jpg Demolition photo- North wing as seen from Haste St. looking NE [image by S.Riggs on 12/2/2011]
- 71 DSCF0425.jpg Demolition photo- North wing from Haste St. looking north [image by S.Riggs on 12/2/2011]
- 72 DSCF0426.jpg Demolition photo- 'A'/'D' corner as seen from the intersection of Haste St. and Telegraph Ave. [image by S.Riggs on 12/2/2011]
- 73 DSCF0427.jpg Demolition photo- West wing as seen from the intersection of Haste St. and Telegraph Ave. [image by S.Riggs on 12/2/2011]
- 74 DSCF0428.jpg Demolition photo- North wing as seen from Telegraph Ave. looking SW [image by S.Riggs on 12/2/2011]
- 75 DSCF0429.jpg Demolition photo- North wing as seen from Telegraph Ave. [image by S.Riggs on 12/2/2011]

**END OF PHOTOGRAPHIC LOG**

**END OF APPENDIX 5**

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Steven Riggs Deputy Fire Marshal	John Fitch Assistat Chief/ Fire Marshal		



2441 Haste Street, Berkeley CA.  
Sequoia Apartments  
**Appendix #6**

Date: November 19, 2011

Time: 3:40 Hours

Resident / Apartment No: [REDACTED]  
Name: [REDACTED]  
Cell Ph. Number: [REDACTED]  
Length at Residence: 2.5 Years

Studio / Apartment  
AGE: 26 DOB: 10-16-1985  
Driver Licenses: [REDACTED]  
Renters Insurance: None

- Location Information Taken: Telegraph Avenue (South end) behind the yellow caution tape.

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**Communication Narrative**

I had just completed taking aerial photos of the scene per chief Fitch's orders and was waiting for DFM Riggs who was walking North on Telegraph to my location. Two individuals approached me and identified that they were residents from the apartment that burned last night. They said that they wanted to speak to someone from the Fire Department about the fire. Another male individual stood in back of them and also identified that he too was a resident and wanted to speak with me. I told all of them to wait, and I will speak to my supervisor first and return back to them immediately.

DFM Riggs walked up to me and gave me a direct order to leave the scene after I have eaten my lunch. I told DFM Riggs that I was just contacted by the Fire Marshal Fitch to leave the site also and that I wasn't supposed to conduct any interviews. I mentioned to DFM Riggs that before he arrived and I was told to leave the scene by Chief Fitch that I was approached by several individuals who were residents of the apartment and wanted to speak with someone from the Fire Department.

I then received a Nextel from FM Fitch which I told him that I was just confronted with two individuals who are residents of the building and wanted to speak to someone about their situation. FM Fitch told me (via Nextel) that immediately after I finish with the information to leave the area and go home.

After I spoke with two of the residents from apartment 27; another individual (male) approached me and asked, if he could also speak with me. I asked if he lived in the apartment; which he replied yes, and he said that he "also tried to put out the fire himself when he first discovered it". I asked him to wait a moment while I spoke again with Riggs.

DC Dong then approached me. I told him that a witness to the fire wanted to speak with me and he tried to combat the fire with a fire extinguisher in the elevator room prior to our arrival. I further made it clear to DC Dong that I was ordered to leave this scene and not to conduct any interviews and wasn't authorized any more overtime. DC Dong replied, "ah, no, continue to get the information and then leave".



I then called FM Fitch three times which I got no reply; the time was 3:40 pm. I then contacted DFM Riggs via cell and told him the situation. He told me to get the information from the individual and then to leave the area.

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### **What was your activity prior to the fire?**

I was sitting at the bar in Raleigh's (2438 Telegraph) restaurant. I heard the fire alarm going off, nobody ever moves or gets excited, because it is always going off. I then noticed light smoke coming from the far side of the bar. I left the bar and proceed to the front entrance of the Sequoia Apartment. There I saw a resident entering the lobby that resides on the second floor and also noticed light smoke in the hallway too. I followed him upstairs into his apartment and then he came out and we left the building. I knew something was different; the smoke started to become a little thicker.

As I exited the apartment lobby, I noticed the maintenance man for the apartment. I followed him to west side (B Side) of the apartment leading into the basement. We both noticed a bright orange glow beneath the door leading into the elevator mechanical room. The maintenance man was trying to locate his key to open the door. While he was trying to find the right key, I went to get a portable fire extinguisher. There was light smoke in the basement hallway area.

The maintenance man got the door open, which I noticed that there was fire on the wall and in the ceiling. Lots of sparks was also shooting out from elevator electrical equipment area.

I discharged the entire fire extinguisher and was not making any progress, the fire grew larger. It was so fast. The maintenance man and I left the area and went outside. That is the time the fire department (Engine 5) was already outside and about to make entry into the basement.

### **Follow up Questions**

**Investigator:** Was the Fire Alarm strobe light activated / going off inside the apartment building?

**Resident:** YES

**Investigator:** Why did you enter the building if the alarm was going off?

**Resident:** Because I didn't want him to go in there alone, he was a friend that lived there too.



**Investigator:** What was that resident's name that you followed into the building?

**Resident:** I forgot but he lives in Apartment 23.

**Investigator:** What floor and apartment room number did the resident you were watching reside at?

**Resident:** On the second floor, don't remember the room number.

**Investigator:** Did the resident come back out of the apartment?

**Resident:** YES

**Investigator:** What was the name of maintenance man?

**Resident:** I don't know, I just help him around sometimes.

**Investigator:** You mention fighting the fire in the elevator mechanical room; can you give me somewhat a reference point or location?

**Resident:** Yes, it is on the wall side where the meters are.

**Investigator:** Before you opened the door to the elevator mechanical room, did you hear any noise.

**Resident:** Yes, popping like

**Investigator:** You mentioned that you used a fire extinguisher?

**Resident:** Yes, it was a CO2 located by the entry of the door. I kind of know how to use an extinguisher. I went through a Fire Academy before. I think it was an electrical fire.

**Investigator:** While attempting to fight the fire with the extinguisher did you sustain any injuries?

**Resident:** No.

**Investigator:** Did the maintenance man go back into the apartment?

**Resident:** I don't know.

**Investigator:** Are you registered with the Red Cross?

**Resident:** Yes

**Investigator:** Where are you currently staying?



**Resident:** Motel 6 though the Red Cross, but I don't know the address.

**Investigator:** At this time you have provided me some great information. I realize that this is a very stressful situation and unfortunately uneventful. What I would like you to do is to contemplate your thoughts chronologically as possible and place them on paper. Write for a while, then put the pen down, resume the next day or so until you can provide us with your best understanding of your actions.




**Resident:** Yes, I think I can do that.

**Investigator:** Thanks for efforts in trying to combat the fire, it was worth a try. The Fire Marshal or myself will definitely get in contact with you should we need additional information.

**Interview completed at 4:10 pm.**

Stan Fernandez, Fire Investigator  
Berkeley Fire Department



<b>NFIRS-1</b>  <b>Basic</b>  	<b>A City of Berkeley Fire Department</b> Fire Department		<b>11/18/2011 20:48:11 2011-010892 00</b> Date                      Time                      Incident Number                      Exposure																				
	<b>B Street address</b> 2441 HASTE ST Berkeley, CA 94703  <div style="text-align: right;">Census Tract</div>																						
<b>C Incident Type</b> Building fire		<b>E<sub>1</sub> Dates and Times</b> Alarm Time 11/18/2011 20:48:11 Time Out 11/18/2011 20:55:23 Arrival 11/18/2011 21:00:54 Controlled Cleared 11/21/2011 19:21:31		<b>E<sub>2</sub> Shift and Alarms</b> <table style="width:100%; border: none;"> <tr> <td style="width:10%;"><b>A</b></td> <td style="width:10%; text-align: center;"><b>5</b></td> <td style="width:10%; text-align: center;"><b>5</b></td> <td style="width:10%;"></td> <td style="width:10%;"></td> <td style="width:10%;"></td> </tr> <tr> <td>Shift</td> <td>Alarm</td> <td>District</td> <td colspan="3">Alarm Box</td> </tr> </table>		<b>A</b>	<b>5</b>	<b>5</b>				Shift	Alarm	District	Alarm Box								
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<b>D Mutual aid received</b> <b>01015 CA</b> Their FDID    State    Incident <b>01008, 01010, 01075, 07040, 07060</b> Responding Departments (Press Other)		<b>E<sub>3</sub> Special Studies</b>																					
<b>F Actions Taken</b> 1. Extinguishment by fire service personnel 2. Information, investigation & enforcement, other 3. Investigate		<b>G<sub>1</sub> Resources</b> <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;">Apparatus</th> <th style="text-align: center;">Personnel</th> </tr> </thead> <tbody> <tr> <td>Suppression</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>EMS</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Other</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Personnel Not on Apparatus</td> <td></td> <td style="text-align: center;">41</td> </tr> <tr> <td>Total Personnel</td> <td></td> <td style="text-align: center;">41</td> </tr> </tbody> </table>			Apparatus	Personnel	Suppression	0	0	EMS	0	0	Other	0	0	Personnel Not on Apparatus		41	Total Personnel		41	<b>G<sub>2</sub> Estimated Dollar Losses</b> Losses Property    \$4,000,000 Contents    \$1,000,000 Pre Incident Value Property    \$4,000,000 Contents    \$1,000,000	
	Apparatus	Personnel																					
Suppression	0	0																					
EMS	0	0																					
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<b>H<sub>1</sub> Casualties</b> <table style="width:100%; border: none;"> <thead> <tr> <th></th> <th style="text-align: center;">Deaths</th> <th style="text-align: center;">Injuries</th> </tr> </thead> <tbody> <tr> <td>Fire Service</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Civilian</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>			Deaths	Injuries	Fire Service	0	0	Civilian	0	0	<b>H<sub>3</sub> Hazardous Materials Release</b> None		<b>J Property Use</b> Multifamily dwelling										
	Deaths	Injuries																					
Fire Service	0	0																					
Civilian	0	0																					
<b>H<sub>2</sub> Detector</b> Detector alerted occupants		<b>I Mixed Property Use</b> Business and residential use																					
<b>K<sub>1</sub> Person Entity Involved</b> 2441 HASTE ST Berkeley, CA 94703			<b>K<sub>2</sub> Owner</b> Sequoia Apartments Kenneth Ent 2441 HASTE ST Berkeley, CA 94703																				
<b>L Remarks</b> Report pending																							
<b>M Gilbert K Dong</b> Officer in Charge  <b>Donna McCracken</b> Member Making Report		<b>Deputy Chief</b> Rank  <b>Assistant Chief</b> Rank		<b>Incident Commander</b> <b>11/20/2011</b> Assignment                      Date  <b>Duty Chief</b> <b>11/20/2011</b> Assignment                      Date																			
<b>NFIRS-2</b>  <b>Fire</b>  	<b>B Property Details</b> <b>B<sub>1</sub> 40</b> Estimated number of residential living units in building of origin whether or not all units became involved.  <b>B<sub>2</sub> 1</b> Number of buildings involved.  <b>B<sub>3</sub> None</b> Acres burned (outside fires).		<b>C On-Site Materials or Products</b>  <table style="width:100%; border: none;"> <tr> <td style="width:60%;">On-site material (1)</td> <td style="width:40%;">Storage Code</td> </tr> <tr> <td>On-site material (2)</td> <td>Storage Code</td> </tr> <tr> <td>On-site material (3)</td> <td>Storage Code</td> </tr> </table>			On-site material (1)	Storage Code	On-site material (2)	Storage Code	On-site material (3)	Storage Code												
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<b>D Ignition</b> Undetermined Area of Fire Origin Undetermined Heat Source <input type="radio"/> Determined First Ignited Undetermined Type of Material First Ignited	<b>E<sub>1</sub> Cause of Ignition</b> Cause under investigation	<b>E<sub>3</sub> Human Factors</b> None
	<b>E<sub>2</sub> Factors Contributing to Ignition</b> 1. None	

**F Equipment Involved in Ignition**
**G Fire Suppression Factors**

1. Building construction or design factors, other
2. Ceiling collapse
3. Roof collapse

**H Mobile Property Involved**

<b>NFIRS-3 Structure</b>  	<b>I<sub>1</sub> Structure Type</b> Enclosed building	<b>I<sub>2</sub> Structure Status</b> Other	<b>I<sub>3</sub> Building Height</b> 5 stories above grade 5 stories below grade	<b>I<sub>4</sub> Main Floor Size</b> A length of 150 feet by a width of 150 feet
	<b>J<sub>1</sub> Fire Origin</b> Not entered	<b>J<sub>3</sub> Number of stories damaged by flame</b> 5 stories with extreme damage		<b>K Material Contributing Most to Flame Spread</b> Item Undetermined  Type Wood or paper, processed, other
	<b>J<sub>2</sub> Fire Spread</b> Confined to building of origin			
<b>L<sub>1</sub> Presence of Detectors</b> Present		<b>L<sub>3</sub> Detector Power Supply</b> Hardwire only		<b>L<sub>5</sub> Detector Effectiveness</b> Detector alerted occupants, occupants responded
<b>L<sub>2</sub> Detector Type</b> Smoke		<b>L<sub>4</sub> Detector Operation</b> Detector operated		<b>L<sub>6</sub> Detector Failure Reason</b>

**M Presence of Automatic Extinguishment System**

None Present